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30 November 1994

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Forty-ninth session
THIRD COMMITTEE
Agenda item 100 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Angola, Bangladesh, China, Colombia, Cuba, Democratic People's Republic of Korea, Ghana, Iran (Islamic Republic of), Iraq, Lao People's Democratic Republic, Lesotho, Malaysia, Mexico, Mozambique, Namibia, Pakistan, Peru, Sudan, United Republic of Tanzania, Viet Nam, Zambia and Zimbabwe: draft resolution

Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and the equal rights of men and women and of nations large and small, and its determination to promote social progress and better standards of living in greater freedom,

Bearing in mind that among the purposes of the United Nations are that of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as that of achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling that, in accordance with Article 55 of the Charter of the United Nations, the Organization shall promote universal respect for and observance of human rights and fundamental freedoms for all, with a view to the creation of conditions of stability and well-being that are necessary for peaceful and friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples and that, in accordance with Article 56, all Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55,

Reiterating that Member States should continue to act in the human rights field in conformity with the provisions of the Charter,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter, as well as the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other relevant instruments,

Deeply convinced that United Nations action in this field should be based not only a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Reaffirming all its resolutions in this regard,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, 3/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Aware of the fact that the promotion, protection and full exercise of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of universality, non-selectivity, impartiality and objectivity and should not be used for political ends,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, 4/ the International Covenant on Civil and Political Rights, 4/ and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. Considers that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Affirms that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. Requests all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

4/ See resolution 2200 A (XXI), annex.

8. Stresses, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. Invites Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. Invites the Commission on Human Rights to continue to examine ways and means to strengthen United Nations action in this regard on the basis of the present resolution and of Commission resolution 1993/59 of 9 March 1993; 5/

11. Decides to consider this matter at its fiftieth session under the item entitled "Human rights questions".

5/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

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HUMAN RIGHTS QUESTIONS: COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION

Ukraine: draft resolution

Increased coordination within the United Nations system in the field of human rights

The General Assembly,

Reaffirming that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling that, in accordance with the relevant provisions of the Charter of the United Nations, the Organization shall promote universal respect for, and observance of, human rights and fundamental freedoms for all and that all Member States pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the above-mentioned purposes,

Recalling also that the promotion and protection of all human rights is a legitimate concern of the international community,

Considering that it is essential, in order to improve the efficiency and effectiveness of the United Nations machinery in the field of human rights, to develop more effective coordination among the United Nations organs and bodies in the field of human rights, between the United Nations and the specialized agencies and among the specialized agencies themselves, and to provide means and ways for such coordination,

Taking into consideration the specific method and character of the activities of each of the United Nations organs, bodies and specialized agencies in the sphere of human rights, which are determined by their statutory objectives, their mandates and the provisions of the relevant international instruments,

Expressing its belief that the activities of each of these organs and bodies and agencies make a significant contribution to the functioning of the international machinery for implementation, reporting and monitoring the protection and promotion of human rights,

Taking note of the articles of the agreements with the specialized agencies providing for the transmission of reports to the United Nations,

Welcoming the creation of the post of the United Nations High Commissioner for Human Rights with the principal responsibility for the United Nations human rights activities,

Emphasizing the importance of the recommendations contained in the Vienna Declaration and Programme of Action, 1/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, in particular the recommendations that all United Nations organs, bodies and the specialized agencies whose activities deal with human rights cooperate in order to strengthen, rationalize and streamline their activities, that high-level officials of relevant United Nations bodies and specialized agencies at their annual meetings, besides coordinating their activities, also assess the impact of their strategies and policies on the enjoyment of all human rights and that organs and specialized agencies related to human rights should further enhance the coordination of their activities based on the consistent and objective application of international human rights instruments,

1. Requests the United Nations High Commissioner for Human Rights to coordinate human rights activities of the United Nations system as outlined in paragraphs 4 (e), (h) and (i) of General Assembly resolution 48/141 of 20 December 1993, in particular by establishing a permanent dialogue with the organizations of the United Nations system to promote human rights through a systematic and periodic exchange of information, experience and expertise and through periodic discussion of the relevant issues in the Administrative Committee on Coordination;

2. Requests the Centre for Human Rights to:

(a) Increase its coordination capability by establishing within the Centre for Human Rights a capacity to prepare and follow up the substantive and administrative aspects of the coordination and assessment activities set out above;

1/ World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

(b) Open a dialogue and sponsor joint studies, advisory services and technical assistance with the United Nations organs, bodies, specialized agencies and intergovernmental and non-governmental organizations regarding the mutually reinforcing interrelationship between development, democracy and human rights;

3. Calls upon Member States to pursue a coordinated policy in order that full cooperation may be achieved between the United Nations and the specialized agencies in the field of human rights;

4. Requests that the programmes and budgets of the pertinent United Nations organs, bodies and specialized agencies provide funds for concrete coordinated actions in this field;

5. Invites those organs, bodies and specialized agencies to elaborate and develop concepts and policies, undertake joint programmes and further develop collaborative mechanisms;

6. Invites the United Nations High Commissioner for Human Rights to request Governments, United Nations specialized agencies and intergovernmental and non-governmental organizations to express their views on the strengthening of the coordination within the United Nations system;

7. Decides to consider the question of increased coordination in the field of human rights within the United Nations system at its fiftieth session as a sub-item under the item entitled "Human rights questions".

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HUMAN RIGHTS QUESTIONS: COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION

Poland and Ukraine: revised draft resolution

Increased coordination within the United Nations system in the field of human rights

The General Assembly,

Reaffirming that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Recalling that, in accordance with the relevant provisions of the Charter of the United Nations, the Organization shall promote universal respect for, and observance of, human rights and fundamental freedoms for all and that all Member States pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the above-mentioned purposes,

Recalling also that the promotion and protection of all human rights is a legitimate concern of the international community,

Considering that it is essential, in order to improve the efficiency and effectiveness of the United Nations machinery in the field of human rights, to develop more effective coordination among the United Nations organs and bodies in the field of human rights, between the United Nations and the specialized agencies and among the specialized agencies themselves, and to provide ways and means for such coordination,

Taking into consideration the specific methods and character of the activities of each of the United Nations organs and bodies and the specialized agencies in the sphere of human rights, which are determined by their statutory objectives, their mandates and the provisions of the relevant international instruments,

Expressing its belief that the activities of each of these organs and bodies and specialized agencies make a significant contribution to the functioning of the international machinery for implementation, reporting and monitoring the protection and promotion of human rights,

Taking note of the provisions of the agreements between the United Nations and the specialized agencies governing the transmission of reports,

Welcoming the creation of the post of the United Nations High Commissioner for Human Rights with the principal responsibility for the United Nations human rights activities,

Emphasizing the importance of the recommendations contained in the Vienna Declaration and Programme of Action, 1/ adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, in particular the recommendations that all United Nations organs and bodies and the specialized agencies whose activities deal with human rights cooperate in order to strengthen, rationalize and streamline their activities, that high-level officials of relevant United Nations bodies and specialized agencies at their annual meetings, besides coordinating their activities, also assess the impact of their strategies and policies on the enjoyment of all human rights and that organs and specialized agencies related to human rights should further enhance the coordination of their activities on the basis of the consistent and objective application of international human rights instruments,

1. Encourages the United Nations High Commissioner for Human Rights to coordinate human rights activities of the United Nations system in accordance with his mandate, notably as outlined in paragraphs 4 (e), (h) and (i) of General Assembly resolution 48/141 of 20 December 1993, in particular by establishing a permanent dialogue with the organizations of the United Nations system to promote human rights through a systematic and periodic exchange of information, experience and expertise and through periodic discussion of the relevant issues in the Administrative Committee on Coordination;

2. Requests the Centre for Human Rights of the Secretariat:

(a) To increase its coordination capability by establishing within the Centre for Human Rights a capacity to prepare and follow up the substantive and administrative aspects of the coordination and assessment activities set out above;

1/ World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

(b) To deepen its dialogue and promote the undertaking of joint studies and the provision of advisory services and technical assistance, in collaboration with the United Nations organs and bodies and the specialized agencies whose activities deal with human rights and intergovernmental and non-governmental organizations, regarding the mutually reinforcing interrelationship between development, democracy and human rights;

3. Calls upon Member States to pursue coordinated policies in support of full cooperation between the United Nations and the specialized agencies in the field of human rights;

4. Requests the relevant United Nations organs, bodies and specialized agencies, within the terms of their mandates to develop concepts, policies and collaborative mechanisms, and to undertake coordinated activities which serve to promote and enhance the enjoyment of human rights;

5. Invites the United Nations High Commissioner for Human Rights, in accordance with his mandate and in consultation with Governments, specialized agencies and intergovernmental and non-governmental organizations, to make recommendations on the strengthening of the coordination within the United Nations system;

6. Decides to consider the question of increased coordination in the field of human rights within the United Nations system at its fiftieth session as a sub-item under the item entitled "Human rights questions".

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Cuba: draft resolution

Respect for the universal freedom of travel and the vital importance of family reunification

The General Assembly,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights, 1/

Stressing that, as stated in the Programme of Action adopted by the International Conference on Population and Development, held at Cairo from 5-13 September 1994, 2/ family reunification of documented migrants is an important factor in international migration, and that financial remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

1. Calls upon all States to ensure the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

1/ Resolution 217 A (III).

2/ A/CONF.171/13, chap. I, resolution I.

2. Reaffirms that all Governments, particularly those of receiving countries, must recognize the vital importance of family reunification and promote its integration into their national legislation in order to ensure the protection of the unity of the families of documented migrants;

3. Calls upon all States to allow the free flow of financial remittances by foreign nationals residing in their territory to their relatives in the country of origin;

4. Also calls upon all States to discourage and reverse legislation that adversely affects the freedom of migrants to travel, family reunification and the transfer of financial remittances;

5. Requests the Commission on Human Rights to consider this issue on its fifty-first session and, through the Economic and Social Council, to present recommendations to the General Assembly at its fiftieth session.

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Indonesia,* Mexico and Uruguay: draft resolution

Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development, 1/ which it proclaimed at its forty-first session,

Recalling its resolutions 45/97 of 14 December 1990, 46/123 of 17 December 1991, 47/123 of 18 December 1992 and 48/130 of 20 December 1993, and those of the Commission on Human Rights relating to the right to development, and taking note of Commission resolution 1994/21 of 1 March 1994, 2/

Recalling also the report on the Global Consultation on the Realization of the Right to Development as a Human Right, 3/

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* On behalf of the States Members of the United Nations that are members of the Movement of the Non-Aligned Countries and China.

1/ Resolution 41/128, annex.

2/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II.

3/ E/CN.4/1990/9/Rev.1.

Recalling further the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992, 4/

Mindful that the Commission on Human Rights continues to consider this matter, which is directed towards the implementation and further enhancement of the right to development,

Recognizing the need to provide adequate resources to the Centre for Human Rights of the Secretariat to support the work of the Working Group on the Right to Development,

Noting the need for coordination and cooperation throughout the United Nations system for the more effective promotion of the right to development,

Recognizing that the United Nations High Commissioner for Human Rights and the Centre for Human Rights have important roles to play in the promotion and protection of the right to development,

Reaffirming the need for action at the national and international levels by all Member States to realize all human rights, and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Welcoming the Vienna Declaration and Programme of Action, 5/ adopted by the World Conference on Human Rights, which reaffirms the right to development as a universal and inalienable right and an integral part of all fundamental human rights and reaffirms that the human person is the central subject of development,

Recalling that the Vienna Declaration examined the relationship between democracy, development and human rights, and recognizing the importance of creating a favourable environment in which everyone may enjoy their human rights as set out in the Vienna Declaration and Programme of Action,

Recalling also that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, recognizing that all human rights are universal, indivisible, interdependent and interrelated, and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

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4/ See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex I.

5/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

Noting that aspects of the Programme of Action adopted by the International Conference on Population and Development, held at Cairo from 5 to 13 September 1994, 6/ are relevant to the universal realization of the right to development,

Welcoming the convening of the World Summit for Social Development, the Fourth World Conference on Women and the United Nations Conference on Human Settlements (Habitat II), and affirming that those conferences constitute important international steps towards the realization of the right to development, within the context of promoting and protecting all human rights,

Taking note with appreciation of the continuing work of the Working Group on the Right to Development during its three sessions, held at Geneva, from 8 to 19 November 1993, from 2 to 12 May 1994 and from 3 to 14 October 1994,

Having considered the report of the Secretary-General on the right to development, prepared pursuant to General Assembly resolution 48/130, 7/

1. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries;

2. Takes note of the comprehensive report of the Secretary-General on the right to development; 7/

3. Requests the Secretary-General to submit to the Commission on Human Rights at its fifty-first session a report on the implementation of Commission resolution 1994/21;

4. Calls upon the Commission on Human Rights to consider carefully the reports of the Working Group on the Right to Development and to request the Working Group in fulfilling its mandate to continue to examine and sustain attention to all relevant aspects of the right to development, with a view to making recommendations for enhancing the universal realization of the right to development, through the implementation of the provisions of the Declaration on the Right to Development, reaffirmed by the Vienna Declaration and Programme of Action;

5. Requests the Centre for Human Rights to continue to be forthcoming in providing adequate services and logistical support to the Working Group on the Right to Development to ensure the smooth functioning of its meetings;

6. Requests the Secretary-General to continue coordination of the various activities with regard to the implementation of the Declaration on the Right to Development;

6/ See A/CONF.171/13, chap. I, resolution 1, annex.

7/ A/49/653.

7. Also requests the Secretary-General to ask the Centre for Human Rights to provide a programmatic follow-up on the implementation of the Declaration on the Right to Development;

8. Requests the United Nations High Commissioner for Human Rights, within his mandate, to continue to take steps for the promotion and protection of the right to development by, inter alia, working in conjunction with the Centre for Human Rights and drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development;

9. Supports the current initiatives of the United Nations High Commissioner for Human Rights, within his mandate, to consult with all relevant bodies, funds, programmes and specialized agencies of the United Nations system on how they may promote the right to development;

10. Invites the regional commissions and regional intergovernmental organizations to consider how they may contribute to the realization of the right to development, including through convening meetings of governmental experts and representative non-governmental and grass-roots organizations for the purpose of seeking arrangements or agreements for the implementation of the Declaration on the Right to Development through international cooperation;

11. Requests the Secretary-General to inform the Commission on Human Rights at its fifty-first session and the General Assembly at its fiftieth session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system on the implementation of the Declaration;

12. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right and the reports of the Working Group on the Right to Development;

13. Reiterates its commitment to implementing the results of the World Conference on Human Rights, which reaffirm that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect of human rights and fundamental freedoms are interdependent and mutually reinforcing;

14. Calls upon States Members of the United Nations to address within the declaration and programme of action to be adopted by the World Summit for Social Development, the United Nations Conference on Human Settlements (Habitat II) and the platform of action to be adopted by the Fourth World Conference on Women the elements for the promotion and protection of the principles of the right to development, as set out in the Declaration on the Right to Development;

15. **Decides** to consider this question at its fiftieth session under the item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Austria, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Dominican Republic, Ecuador, El Salvador, France, Gabon, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Iceland, India, Lesotho, Malta, Mauritania, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Senegal, Slovenia, South Africa, Suriname, Uganda, United Republic of Tanzania, Uruguay, Venezuela and Zimbabwe: draft resolution

Decade for Human Rights Education

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, 1/

Reaffirming article 26 of the Universal Declaration of Human Rights, according to which "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms",

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1/ Resolution 217 A (III).

Recalling the provisions of other international human rights instruments, such as those of article 13 of the International Covenant on Economic, Social and Cultural Rights 2/ and article 28 of the Convention on the Rights of the Child, 3/ that reflect the aims of the aforementioned article,

Taking into account Commission on Human Rights resolution 1993/56 of 9 March 1993, 4/ in which the Commission recommended that knowledge of human rights, both in its theoretical dimension and in its practical application, should be established as a priority in educational policies,

Considering also Commission on Human Rights resolution 1994/51 of 4 March 1994, 5/ in which the Commission encouraged the United Nations High Commissioner for Human Rights to include among his specific objectives a plan of action for the United Nations decade for human rights education and invited the Secretary-General to submit to the General Assembly at its forty-ninth session a plan of action, through the Economic and Social Council, for a decade for human rights education,

Convinced that human rights education should involve more than the provision of information but should rather constitute a comprehensive life-long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Convinced also that human rights education contributes to a concept of development consistent with the dignity of women and men of all ages, which takes into account the diverse segments of society such as children, indigenous peoples, minorities and disabled persons,

Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the United Nations Children's Fund,

Convinced that each woman, man and child, to realize their full human potential, must be made aware of all their human rights, civil, cultural, economic, political and social,

Believing that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and ensuring equal opportunities through the promotion and protection of the human rights of women,

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2/ Resolution 2200 A (XXI), annex.

3/ Resolution 44/25, annex.

4/ Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

5/ Ibid., 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

Considering the World Plan of Action on Education for Human Rights and Democracy, 6/ adopted by the International Congress on Education for Human Rights and Democracy, convened by the United Nations Educational, Scientific and Cultural Organization at Montreal from 8 to 11 March 1993, and the statement by the Congress that "education for human rights and democracy is itself a human right, and a prerequisite for the realization of human rights, democracy and social justice,

Recalling that it is the responsibility of the United Nations High Commissioner for Human Rights "to coordinate relevant United Nations education and public information programmes in the field of human rights", 7/

Taking note of the report to the General Assembly of the United Nations High Commissioner for Human Rights, 8/ in which he declared that human rights education is "essential for the encouragement of harmonious inter-community relations, for mutual tolerance and understanding and finally for peace",

Aware of the experience in human rights education of United Nations peace-building operations, including the United Nations Observer Mission in El Salvador and the United Nations Transitional Authority in Cambodia,

Bearing in mind the Vienna Declaration and Programme of Action, 9/ adopted by the World Conference on Human Rights at Vienna on 25 June 1993, in particular section II, paragraphs 78 to 82,

1. Takes note with appreciation of the report of the Secretary-General on human rights education, submitted in accordance with the request contained in General Assembly resolution 48/127 of 21 December 1993; 10/

2. Proclaims the ten-year period beginning on 1 January 1995 as the United Nations Decade for Human Rights Education;

3. Welcomes the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2005, as contained in the report of the Secretary-General; 11/

4. Appeals to all Governments to contribute to the implementation of the Plan of Action and to step up their efforts to eradicate illiteracy and to

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6/ See A/CONF.157/PC/42/Add.6.

7/ Resolution 48/141, para. 4 (e).

8/ A/49/36, para. 94.

9/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I), chap. III.

10/ A/49/261 and Add.1.

11/ A/49/261/Add.1, annex.

direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms;

5. Urges governmental and non-governmental educational agencies to intensify their efforts to establish and implement programmes of human rights education, as recommended in the Plan of Action, in particular by preparing and implementing national plans for human rights education;

6. Requests the United Nations High Commissioner for Human Rights to coordinate the implementation of the Plan of Action;

7. Requests the Centre for Human Rights and the Commission on Human Rights, in cooperation with Member States, human rights treaty-monitoring bodies, other appropriate bodies and competent non-governmental organizations, to support efforts of the United Nations High Commissioner to implement the Plan of Action;

8. Requests the Secretary-General to consider establishing a voluntary fund for human rights education, with special provision for the support of the human rights education activities of non-governmental organizations, to be administered by the Centre for Human Rights of the Secretariat;

9. Invites the specialized agencies and United Nations programmes to contribute, within their respective spheres of competence, to the implementation of the Plan of Action;

10. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community and to intergovernmental and non-governmental organizations concerned with human rights and education;

11. Calls upon international, regional and national non-governmental organizations, in particular those concerned with women, labour, development and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to increase their involvement in formal and non-formal education in human rights and to cooperate with the Centre for Human Rights in implementing a United Nations decade for human rights education;

12. Requests the existing human rights monitoring bodies to place emphasis on the implementation by Member States of their international obligation to promote human rights education;

13. Decides to consider this matter at its fiftieth session under the item entitled "Human rights questions".

UNITED
NATIONS

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General Assembly

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Forty-ninth session
THIRD COMMITTEE
Agenda item 100 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Austria, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Burkina Faso, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Dominican Republic, Ecuador, El Salvador, France, Gabon, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Iceland, India, Israel, Lesotho, Malawi, Malaysia, Malta, Mauritania, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Russian Federation, Senegal, Slovenia, South Africa, Suriname, Uganda, United Republic of Tanzania, Uruguay, Venezuela and Zimbabwe: revised draft resolution

Decade for Human Rights Education

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, 1/

Reaffirming article 26 of the Universal Declaration of Human Rights, according to which "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms",

Recalling the provisions of other international human rights instruments, such as those of article 13 of the International Covenant on Economic, Social

1/ Resolution 217 A (III).

and Cultural Rights 2/ and article 28 of the Convention on the Rights of the Child, 3/ that reflect the aims of the aforementioned article,

Taking into account Commission on Human Rights resolution 1993/56 of 9 March 1993, 4/ in which the Commission recommended that knowledge of human rights, both in its theoretical dimension and in its practical application, should be established as a priority in educational policies,

Considering also Commission on Human Rights resolution 1994/51 of 4 March 1994, 5/ in which the Commission encouraged the United Nations High Commissioner for Human Rights to include among his specific objectives a plan of action for the United Nations decade for human rights education and invited the Secretary-General to submit to the General Assembly at its forty-ninth session a plan of action, through the Economic and Social Council, for a decade for human rights education,

Convinced that human rights education should involve more than the provision of information but should rather constitute a comprehensive life-long process by which people at all levels in development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Convinced also that human rights education contributes to a concept of development consistent with the dignity of women and men of all ages, which takes into account the diverse segments of society such as children, indigenous peoples, minorities and disabled persons,

Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the United Nations Children's Fund,

Convinced that each woman, man and child, to realize their full human potential, must be made aware of all their human rights, civil, cultural, economic, political and social,

Believing that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and ensuring equal opportunities through the promotion and protection of the human rights of women,

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2/ Resolution 2200 A (XXI), annex.

3/ Resolution 44/25, annex.

4/ Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

5/ Ibid., 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

Considering the World Plan of Action on Education for Human Rights and Democracy, 6/ adopted by the International Congress on Education for Human Rights and Democracy, convened by the United Nations Educational, Scientific and Cultural Organization at Montreal from 8 to 11 March 1993, and the statement by the Congress that "education for human rights and democracy is itself a human right, and a prerequisite for the realization of human rights, democracy and social justice,

Recalling that it is the responsibility of the United Nations High Commissioner for Human Rights "to coordinate relevant United Nations education and public information programmes in the field of human rights", 7/

Taking note of the report to the General Assembly of the United Nations High Commissioner for Human Rights, 8/ in which he declared that human rights education is "essential for the encouragement of harmonious inter-community relations, for mutual tolerance and understanding and finally for peace",

Aware of the experience in human rights education of United Nations peace-building operations, including the United Nations Observer Mission in El Salvador and the United Nations Transitional Authority in Cambodia,

Bearing in mind the Vienna Declaration and Programme of Action, 9/ adopted by the World Conference on Human Rights at Vienna on 25 June 1993, in particular section II, paragraphs 78 to 82,

1. Takes note with appreciation of the report of the Secretary-General on human rights education, submitted in accordance with the request contained in General Assembly resolution 48/127 of 21 December 1993; 10/

2. Proclaims the ten-year period beginning on 1 January 1995 as the United Nations Decade for Human Rights Education;

3. Welcomes the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2005, as contained in the report of the Secretary-General, 11/ and invites Governments to submit comments, with a view to supplementing the Plan of Action for the Decade;

6/ See A/CONF.157/PC/42/Add.6.

7/ Resolution 48/141, para. 4 (e).

8/ A/49/36, para. 94.

9/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

10/ A/49/261 and Add.1.

11/ A/49/261/Add.1, annex.

4. Invites the Secretary-General to submit proposals, taking into account the views expressed by Governments, for the purposes indicated in paragraph 3;

5. Appeals to all Governments to contribute to the implementation of the Plan of Action and to step up their efforts to eradicate illiteracy and to direct education towards the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms;

6. Urges governmental and non-governmental educational agencies to intensify their efforts to establish and implement programmes of human rights education, as recommended in the Plan of Action, in particular by preparing and implementing national plans for human rights education;

7. Requests the United Nations High Commissioner for Human Rights to coordinate the implementation of the Plan of Action;

8. Requests the Centre for Human Rights and the Commission on Human Rights, in cooperation with Member States, human rights treaty-monitoring bodies, other appropriate bodies and competent non-governmental organizations, to support efforts of the United Nations High Commissioner to coordinate the Plan of Action;

9. Requests the Secretary-General to consider establishing a voluntary fund for human rights education, with special provision for the support of the human rights education activities of non-governmental organizations, to be administered by the Centre for Human Rights of the Secretariat;

10. Invites the specialized agencies and United Nations programmes to contribute, within their respective spheres of competence, to the implementation of the Plan of Action;

11. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community and to intergovernmental and non-governmental organizations concerned with human rights and education;

12. Calls upon international, regional and national non-governmental organizations, in particular those concerned with women, labour, development and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to increase their involvement in formal and non-formal education in human rights and to cooperate with the Centre for Human Rights in implementing a United Nations decade for human rights education;

13. Requests the existing human rights monitoring bodies to place emphasis on the implementation by Member States of their international obligation to promote human rights education;

14. Decides to consider this matter at its fiftieth session under the item entitled "Human rights questions".

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Forty-ninth session
THIRD COMMITTEE
Agenda item 100 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Afghanistan, Albania, Algeria, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Brazil, Cambodia, Colombia, Croatia, Cuba, Ecuador, Egypt, Georgia, Guatemala, India, Kyrgyzstan, Morocco, Nigeria, Panama, Peru, Republic of Korea, Sierra Leone, Sri Lanka, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Turkmenistan and Uruguay:
draft resolution

Human rights and terrorism

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Bearing in mind that the most essential and basic human right is the right to life,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

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Recalling the Vienna Declaration and Programme of Action, 3/ adopted by the World Conference on Human Rights,

Recalling also its resolution 48/122 of 20 December 1993,

Taking note of Commission on Human Rights resolution 1994/46 of 4 March 1994 4/ and Subcommission on Prevention of Discrimination and Protection of Minorities resolution 1994/18 of 25 August 1994,

Reiterating that all Member States have an obligation to promote and protect human rights and fundamental freedoms, and also that every individual should strive to secure their universal and effective recognition and observance,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and the illegal traffic in arms and drugs, as well as the consequent commission of serious crimes such as murder, kidnapping, assault and robbery,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant international human rights principles and instruments, particularly the right to life,

1. Reiterates its unequivocal condemnation of all acts, methods and practices of terrorism, which constitute human rights violations aimed at the destruction of fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of States;

2. Expresses its solidarity with the victims of terrorism;

3. Calls upon States, in accordance with international standards of human rights, to take all necessary and effective measures to prevent, combat and eliminate all acts of terrorism wherever and by whomever committed, and urges the international community to enhance cooperation in the fight against the threat of terrorism at national, regional and international levels;

3/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

4/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

4. Requests the Secretary-General to seek the views of Member States on the establishment of a United Nations voluntary fund for victims of terrorism and to submit to the General Assembly at its fiftieth session, for its consideration, a report containing comments made by Member States on the subject;

5. Also requests the Secretary-General to transmit the text of the present resolution to all Member States and to competent specialized agencies and intergovernmental organizations for their consideration;

6. Encourages special rapporteurs, special representatives and working groups of the Commission on Human Rights as well as related treaty bodies to pay particular attention, within their mandate, to the consequences of the acts, methods and practices of terrorist groups;

7. Requests the Commission on Human Rights to continue its consideration of the question as a matter of priority at its fifty-first session;

8. Decides to consider this question at its fiftieth session under the item entitled "Human rights questions".

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THIRD COMMITTEE
Agenda item 100 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Algeria, Angola, Colombia, Cuba, Democratic People's Republic of Korea, Ghana, India, Iran (Islamic Republic of), Iraq, Lao People's Democratic Republic, Namibia, Nigeria, Sudan, Uganda, United Republic of Tanzania, Viet Nam, Yemen, Zambia and Zimbabwe: draft resolution

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

The General Assembly,

Recalling that in the Charter of the United Nations the peoples of the United Nations declared their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Recalling also that one of the purposes of the United Nations, as set forth in the Charter, is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Emphasizing the significance and validity of the Universal Declaration of Human Rights 1/ and of the International Covenants on Human Rights 2/ in promoting respect for and observance of human rights and fundamental freedoms,

Recalling further its resolution 32/130 of 16 December 1977, in which it decided that the approach to future work within the United Nations system with respect to human rights questions should take into account the concepts set forth in that resolution,

Emphasizing the special importance of the purposes and principles proclaimed in the Declaration on the Right to Development, contained in the annex to its resolution 41/128 of 4 December 1986,

Reaffirming that the implementation of the right to development is an indispensable element in the process of creating the appropriate conditions for the full enjoyment and preservation of all human rights and fundamental liberties,

Taking into account the final documents of the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992, 3/

Reiterating that the right to development is an inalienable human right and that equality of development opportunities is a prerogative both of nations and of individuals within nations,

Expressing its particular concern about the progressive worsening of living conditions in the developing world and the negative impact thereof on the full enjoyment of human rights, and especially about the very serious economic situation of the African continent and the disastrous effects of the heavy burden of the external debt for the peoples of Africa, Asia and Latin America and the Caribbean,

Reiterating its profound conviction that all human rights and fundamental freedoms are indivisible, interdependent and interrelated and that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights,

Deeply convinced that, today more than ever, economic and social development and human rights are complementary elements leading to the same goal, that is, the maintenance of peace and justice among nations as the foundation for the ideals of freedom and well-being to which mankind aspires,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See A/47/675-S/24816; see Official Records of the Security Council, Forty-seventh Year, Supplement for October, November and December 1992, document S/24816.

Reiterating that cooperation among all nations on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, is essential for the promotion of peace and development,

Reiterating also the importance of unconditional international cooperation for the attainment of the right to development,

Considering that the efforts of the developing countries to promote their own development should be supported by an increased flow of resources and by the adoption of appropriate and substantive measures for creating an external environment conducive to such development,

1. Reiterates its request that the Commission on Human Rights continue its current work on overall analysis with a view to further promoting and strengthening human rights and fundamental freedoms, including the question of the programme and working methods of the Commission, and on the overall analysis of the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms in accordance with the provisions and ideas set forth in General Assembly resolution 32/130;

2. Affirms that a primary aim of international cooperation in the field of human rights is a life of freedom, dignity and peace for all peoples and for every human being, that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from promoting and protecting the others;

3. Notes that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, identified the situations and obstacles which affect the full enjoyment of human rights;

4. Reaffirms that the right to development is an inalienable human right;

5. Reaffirms also that international peace and security are essential elements for achieving the full realization of the right to development;

6. Considers it necessary for all Member States to promote international cooperation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, with a view to solving international economic, social and humanitarian problems;

7. Urges all States to cooperate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms;

8. Decides that the approaches to future work within the United Nations system on human rights matters should take into account the content of the Declaration on the Right to Development and the need for the implementation thereof;

9. Decides to consider this question at its fifty-first session.

UNITED
NATIONS

General Assembly

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2 December 1994

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Forty-ninth session
THIRD COMMITTEE
Agenda item 100 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Denmark, Egypt, Finland, France, Germany, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Kuwait, Liechtenstein, Luxembourg, Morocco, Netherlands, Norway, Pakistan, Poland, Portugal, Saudi Arabia, Slovenia, Spain, Sweden, Tunisia, Turkey and United States of America: draft resolution

Situation of Human Rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia, and the Federal Republic of Yugoslavia (Serbia and Montenegro)

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ the Convention on the Rights of the Child, 4/ the Convention on the Prevention and Punishment of the Crime of Genocide, 5/ the

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1/ Resolution 2106 A (XX), annex.

2/ Resolution 2200 (A) (XXI), annex.

3/ Resolution 2106 A (XX), annex.

4/ Resolution 44/25, annex.

5/ Resolution 260 A (III).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 6/ the Convention on the Elimination of All Forms of Discrimination Against Women 7/ and other instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949 8/ for the protection of victims of war and the Additional Protocols thereto, of 1977, 9/ as well as the principles and commitments undertaken by the States members of the Conference on Security and Cooperation in Europe,

Gravely concerned at the human tragedy in the territories of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) and at the continuing massive and systematic violations of human rights occurring in the areas of the Republic of Bosnia and Herzegovina under Bosnian Serb control and in areas of the Republic of Croatia under Croatian Serb control,

Recalling its resolution 48/153 of 20 December 1993 and Commission on Human Rights resolution 1994/72 of 9 March 1994 10/ and Security Council resolution 900 (1994) of 4 March 1994, in which the Council called upon all parties to achieve freedom of movement for the civilian population and humanitarian goods to, from, and within Sarajevo,

Recalling specifically Security Council resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993 and 855 (1993) of 9 August 1993, in which the Council demanded, inter alia, that all parties and others concerned in the former Yugoslavia immediately cease and desist from all breaches of international humanitarian law, requested the Secretary-General to establish a commission of experts to examine and analyse information relating to serious violations of such law being committed in the territory of the former Yugoslavia and established an International Tribunal for the prosecution of persons responsible for such violations,

Recalling further Security Council resolutions 824 (1993) of 6 May 1993 and 836 (1993) of 4 June 1993, in which the Council declared that Sarajevo, Tuzla, Zepa, Gorazde, Bihać, Srebrenica and their surroundings should be treated as safe areas and that international humanitarian agencies should be given free and unimpeded access to those areas,

Gravely concerned at the situation throughout Bosnia and Herzegovina and the rapidly deteriorating situation in the safe areas of Sarajevo, Tuzla, Gorazde, Zepa, Srebrenica, and in particular the flagrant and blatant violations

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6/ Resolution 39/46 annex.

7/ Resolution 34/180, annex.

8/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

9/ Ibid., vol. 1125, Nos. 17512 and 17513.

10/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

of the safe areas of Bihać which has been subject to continued attacks by the Bosnian Serbs and Croatian Serb forces,

Expressing its appreciation for the efforts undertaken by the representatives of the United Nations, the European Union, the United States of America and the Russian Federation to assist the parties in reaching a settlement to the conflict in Bosnia and Herzegovina and the work of the ambassadors of the United States of America, the Russian Federation, the European Union and the United Nations in Zagreb to achieve a cease-fire and eventual resolution of the situation in Croatia, all of which could, if accepted by all parties, lead to a substantial improvement in the human rights situation of members of all ethnic groups in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro),

Noting with appreciation the efforts of the United Nations Protection Force to help to create the conditions for the peaceful settlement of the conflicts in Bosnia and Herzegovina and Croatia, and also noting the obstacles that the United Nations Protection Force in Bosnia and Herzegovina and in the United Nations Protected Areas of Croatia face in the performance of their mandate,

Supporting the declarations signed by Muslim, Catholic and Orthodox religious leaders at the Interfaith Summits convened by the Appeal of Conscience Foundation at Zurich in 1992 and at Istanbul in 1994,

Encouraging the international community, acting through the United Nations and other international organizations as well as bilaterally, to enhance its humanitarian support for the Republic of Bosnia and Herzegovina, the Bosnian Federation and the Republic of Croatia,

Gravely concerned at the human rights violations in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), and in particular at those committed in the context of the continuing, odious practice of ethnic cleansing, which is the direct cause of the vast majority of human rights violations there and whose principal victims are the Muslim population, which is threatened with virtual extermination, as well as the Croats and non-Serbs,

Dismayed by the huge number of missing persons still unaccounted for, particularly in Bosnia and Herzegovina and in Croatia,

Deploring the exploitation of ethnic tensions and ultra-nationalistic phenomena for political goals used to foster the war and human rights violations,

Alarmed that the conflict in Bosnia and Herzegovina and in Croatia has also been characterized by the systematic destruction and profanation of mosques, churches and other places of worship, as well as sites of cultural heritage,

Deeply concerned by the situations reflected in the Secretary-General's report on rape and abuse of women in the areas of armed conflict in the former Yugoslavia, 11/ and stressing the need for detailed reporting on this subject,

Encouraging the continuing efforts made in the framework of the International Conference on the Former Yugoslavia to find a peaceful solution,

Welcoming the ongoing efforts of the Conference on Security and Cooperation in Europe to re-establish its presence in the Federal Republic of Yugoslavia (Serbia and Montenegro) in order to prevent further human rights violations, and deeply concerned about the decision of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) to expel the monitoring missions of long duration of the Conference on Security and Cooperation in Europe and the European Union to Kosovo, Sandjak and Vojvodina, where the human rights situation remains a cause of great concern,

Welcoming also the reconstruction efforts of the European Union, inter alia, through its monitoring missions to promote respect for human rights and fundamental freedoms,

Welcoming further the interim reports and recommendations of the Special Rapporteur on the situation of human rights in the former Yugoslavia, in particular the most recent report, 12/

1. Commends the Special Rapporteur on the situation of human rights in the territories of the successor States of the former Yugoslavia for his reports 13/ and notes that his presence can be a positive factor towards reducing the instances of human rights violations in the region;

2. Expresses its grave concern at the instances of massive and systematic violations of human rights and humanitarian law in parts of the Republic of Bosnia and Herzegovina, Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), as described in the Special Rapporteur's reports;

3. Notes with grave concern the Special Rapporteur's conclusions about the impending humanitarian disaster in Bosnia and Herzegovina this winter;

4. Condemns in the strongest terms all violations of human rights and international humanitarian law in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) by all sides to the conflict, recognizing that the leadership in territories under the control of Serbs in Bosnia and Herzegovina and Croatia, the commanders of Serb paramilitary

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11/ A/48/858.

12/ E/CN.4/1994/54.

13/ See S/26383, S/26415 and S/26469; see Official Records of the Security Council, Forty-eighth Year, Supplement for July, August and September 1993, documents S/26383, S/26415 and S/26469; see also A/49/641-S/1994/1252.

forces and political and military leaders in the Federal Republic of Yugoslavia (Serbia and Montenegro) bear primary responsibility for most of those violations;

5. Condemns the continued refusal of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serb authorities to permit the Special Rapporteur to conduct investigations in territories under their control;

6. Condemns also the specific violations identified by the Special Rapporteur, most of which are committed in connection with ethnic cleansing by Bosnian Serbs, and which include killings, torture, beatings, arbitrary searches, rape, disappearances, destruction of houses, forced and illegal evictions, detentions and other acts or threats of violence aimed at forcing individuals to leave their homes;

7. Condemns further the indiscriminate shelling and besieging of cities and civilian areas, the systematic terrorization and murder of non-combatants, the destruction of vital services and the use of military force against civilian populations and relief operations, including the use of cluster and napalm bombs on civilian targets by Croatian Serb and Bosnian Serb forces;

8. Welcomes the fact that the proceedings of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 have now begun, and in this context encourages the provision of all resources necessary, including full funding as well as voluntary contributions from States and intergovernmental and non-governmental organizations so that the Tribunal may conduct without any further delay its stipulated functions of trying those accused of and punishing those responsible for violations of international law;

9. Requests States, as a matter of urgency, to make available to the International Tribunal expert personnel, resources and services to aid in the investigation and prosecution of persons accused of having committed serious violations of international humanitarian law;

10. Requests all States, in particular the Federal Republic of Yugoslavia (Serbia and Montenegro), to cooperate, as required under Security Council resolution 827 (1993), with the International Tribunal in providing evidence for investigations and trials and in surrendering persons accused of crimes within the jurisdiction of the Tribunal;

11. Notes that all serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1 January 1991 are within the jurisdiction of the International Tribunal, and that persons who commit such acts in the context of the existing conflict will be held accountable;

12. Reaffirms that States are to be held accountable for violations of human rights;

13. Expresses its complete support for the victims of those violations, reaffirms the right of all persons to return to their homes in safety and dignity, considers invalid all acts made under duress affecting ownership of property and other related questions, recognizes the right of victims of ethnic cleansing to receive just reparation for their losses, and urges all parties to fulfil their agreements to this end;

14. Condemns all deliberate impedance of the delivery of food, medical and other supplies essential for the civilian population, which can constitute a serious violation of international humanitarian law, and of medical evacuations, and demands that all parties ensure that all persons under their control cease such acts;

15. Also condemns the attacks on and continuous harassment of the United Nations Protection Force and on personnel working with the Office of the United Nations High Commissioner for Refugees and other humanitarian organizations, most of which are perpetrated by Bosnian Serb forces;

16. Expresses its outrage that the systematic practice of rape continues to be used as a weapon of war against women and children and as an instrument of ethnic cleansing and recognizes that rape in this context constitutes a war crime;

17. Expresses its serious concern at the prevalence of lawlessness in the Serbian-controlled territories of Croatia and the lack of adequate protection for Croatian and non-Serb populations remaining in the Serb-controlled municipalities where these populations continue to experience physical violence and insecurity, as reported by the Special Rapporteur;

18. Also expresses its serious concern at the violations of humanitarian law committed by local officials in the Federation-controlled areas of Bosnia and Herzegovina, which limit the right to freedom of movement, notably the right of refugees or displaced persons to return to their homes, as reported by the Special Rapporteur;

19. Strongly condemns the increase of police violence against the non-Serb populations in Kosovo, Sandjak, Vojvodina and other areas of the Federal Republic of Yugoslavia (Serbia and Montenegro), and of violations of the right to fair trial, as described in the most recent report of the Special Rapporteur; 14/

20. Strongly urges the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to take appropriate measures to respect fully all human rights and fundamental freedoms and to take urgent action to ensure the rule of law in order to prevent arbitrary evictions and dismissals and discrimination against members of the non-Serb populations in the Federal Republic of Yugoslavia (Serbia and Montenegro);

14/ A/49/641-S/1994/1252.

21. Expresses its grave concern at the deteriorating human rights situation in Sandjak, as noted by the Special Rapporteur, particularly the systematic acts of harassment, beatings, torture, warrantless searches, arbitrary detention and unfair trials directed mainly against members of the Muslim population;

22. Affirms that a peaceful solution, to be achieved through negotiation under the auspices of the International Conference on the Former Yugoslavia, would greatly benefit the human rights situation in the areas concerned;

23. Condemns in particular the violations of human rights and humanitarian law in connection with detention, including killings, torture and the systematic practice of rape, and demands the immediate, internationally supervised release of all persons arbitrarily or illegally detained in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) and the immediate closure of all places of detention not authorized by and in compliance with the Geneva Conventions of 12 August 1949; 8/

24. Reiterates its demands that all parties notify immediately the International Committee of the Red Cross of the locations of all camps, prisons and other places of detention within Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), and that the International Committee of the Red Cross, the Special Rapporteur and his staff, the United Nations High Commissioner for Refugees, the monitoring and other missions of the European Union and the Conference on Security and Cooperation in Europe and other relevant international and regional organizations be granted immediate, unimpeded and continued access to such places of detention;

25. Urges all parties, and in particular the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), to cooperate with the Working Group on Enforced and Involuntary Disappearances in determining the fate of thousands of missing persons by disclosing information and documentation on inmates in prisons, camps and other places of detention in order finally to locate such persons and alleviate the suffering of their relatives;

26. Urges the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to reconsider its refusal to allow the continuation of the activities of the missions of the Conference on Security and Cooperation in Europe to monitor the human rights conditions in its territory, particulary in Kosovo, Sandjak and Vojvodina, and its refusal to permit the opening of a field office of the Centre for Human Rights as called for by the General Assembly in resolution 48/153;

27. Urges the Secretary-General to take all necessary steps to ensure the full and effective coordination of the activities of all United Nations bodies in implementing the present resolution, and urges those bodies concerned with the situation in the territories of Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to coordinate closely with the Special Rapporteur and the International Tribunal, and to provide the Special Rapporteur on a continuing basis with all relevant and accurate information in their possession on the situation of human rights in Bosnia and

Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro);

28. Also urges the Secretary-General, within existing resources, to make all necessary resources available for the Special Rapporteur to carry out his mandate and in particular to provide him with adequate staff based in the territories of Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to ensure effective continuous monitoring of the human rights situation there and coordination with other United Nations bodies involved, including the United Nations Protection Force,

29. Welcomes the effort by the Governments of Croatia and Bosnia and Herzegovina to uphold human rights in their territories and urges them to fulfil the human rights commitments they have made;

30. Notes with concern that many of the past recommendations of the Special Rapporteur have not been fully implemented, in some cases because of resistance by the parties on the ground, and urges the parties, all States and relevant organizations to give immediate consideration to them, in particular the Special Rapporteur's calls:

(a) For the opening of humanitarian relief corridors to prevent the death and deprivation of the civilian population and to open Tuzla airport to relief deliveries, and for the immediate release of detainees into conditions of safety;

(b) For the provision of necessary medical and psychological care to victims of rape within the framework of programmes to rehabilitate women and children traumatized by war, and for coordination by all concerned in support of the social integration of child victims;

(c) For more generous international assistance to refugees fleeing the conflict, and to the States which receive them;

(d) For increased support to initiatives to assist persons displaced by the conflict, with attention to the special needs of urban families and orphans;

(e) For the creation of a voluntary fund to provide economic and social aid to assist the reconstruction of destroyed villages and towns;

(f) For the attention of the international community to the need for an effective response to counter the policy of ethnic cleansing;

31. Draws attention to the need for an immediate and urgent investigation by qualified experts of a mass grave near Vukovar and other mass grave sites and places where mass killings are reported to have taken place, and requests the Secretary-General, within existing resources, to make available the necessary means for this undertaking;

32. Invites the Commission on Human Rights at its fifty-first session to request the Special Rapporteur to report to the General Assembly at its fiftieth session;

33. Decides to continue its examination of this question at its fiftieth session under the item entitled "Human rights questions".

UNITED
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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Afghanistan, Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Denmark, Egypt, Finland, France, Germany, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jordan, Kuwait, Liechtenstein, Luxembourg, Malaysia, Morocco, Netherlands, Norway, Pakistan, Poland, Portugal, Saudi Arabia, Slovenia, Spain, Sweden, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Yemen: revised draft resolution

Situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ the Convention on the Rights of the Child, 4/

1/ Resolution 2106 A (XX), annex.

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 2106 A (XX), annex.

4/ Resolution 44/25, annex.

the Convention on the Prevention and Punishment of the Crime of Genocide, 5/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 6/ the Convention on the Elimination of All Forms of Discrimination against Women 7/ and other instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949 8/ for the protection of victims of war and the Additional Protocols thereto, of 1977, 9/ as well as the principles and commitments undertaken by the States members of the Conference on Security and Cooperation in Europe,

Gravely concerned at the human tragedy in the territories of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) and at the continuing massive and systematic violations of human rights occurring in the areas of the Republic of Bosnia and Herzegovina under Bosnian Serb control and in areas of the Republic of Croatia under Croatian Serb control,

Recalling its resolution 48/153 of 20 December 1993, Commission on Human Rights resolution 1994/72 of 9 March 1994 10/ and Security Council resolution 900 (1994) of 4 March 1994, in which the Council called upon all parties to achieve freedom of movement for the civilian population and humanitarian goods to, from, and within Sarajevo,

Recalling specifically Security Council resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993 and 855 (1993) of 9 August 1993, in which the Council demanded, inter alia, that all parties and others concerned in the former Yugoslavia immediately cease and desist from all breaches of international humanitarian law, requested the Secretary-General to establish a commission of experts to examine and analyse information relating to serious violations of such law being committed in the territory of the former Yugoslavia and established an International Tribunal for the prosecution of persons responsible for such violations,

Recalling further Security Council resolutions 824 (1993) of 6 May 1993 and 836 (1993) of 4 June 1993, in which the Council declared that Sarajevo, Tuzla, Zepa, Gorazde, Bihać, Srebrenica and their surroundings should be treated as safe areas and that international humanitarian agencies should be given free and unimpeded access to those areas,

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5/ Resolution 260 A (III).

6/ Resolution 39/46, annex.

7/ Resolution 34/180, annex.

8/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

9/ Ibid., vol. 1125, Nos. 17512 and 17513.

10/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

Gravely concerned at the situation throughout Bosnia and Herzegovina and the rapidly deteriorating situation in the safe areas of Sarajevo, Tuzla, Gorazde, Zepa and Srebrenica, and in particular the flagrant and blatant violations of the safe areas of Bihać, which has been subject to continued attacks by the Bosnian Serbs and Croatian Serb forces,

Expressing its appreciation for the efforts undertaken by the representatives of the United Nations, the European Union, the United States of America and the Russian Federation to assist the parties in reaching a settlement to the conflict in Bosnia and Herzegovina and the work of the ambassadors of the United States of America and the Russian Federation and the representatives of the European Union and the United Nations in Zagreb to achieve a cease-fire and eventual resolution of the situation in Croatia, all of which could, if accepted by all parties, lead to a substantial improvement in the human rights situation of members of all ethnic groups in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro),

Noting with appreciation the efforts of the United Nations Protection Force to help to create the conditions for the peaceful settlement of the conflicts in the Republic of Bosnia and Herzegovina and the Republic of Croatia and to provide protection for the delivery of humanitarian aid, and also noting the obstacles that the United Nations Protection Forces in the Republic of Bosnia and Herzegovina and in the United Nations Protected Areas of the Republic of Croatia face in the performance of their mandate,

Welcoming the signing of the Washington accords and the creation of the Bosnian Federation, which has facilitated the delivery of humanitarian supplies and serves as a model for ethnic reconciliation in the region,

Supporting the declarations signed by Muslim, Catholic and Orthodox religious leaders at the Interfaith Summits convened by the Appeal of Conscience Foundation at Zurich in 1992 and at Istanbul in 1994,

Encouraging the international community, acting through the United Nations and other international organizations as well as bilaterally, to enhance its humanitarian support for the Republic of Bosnia and Herzegovina, the Bosnian Federation and the Republic of Croatia,

Gravely concerned at the human rights violations in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), and in particular at those committed in the context of the continuing, odious practice of ethnic cleansing, which is the direct cause of the vast majority of human rights violations there and whose principal victims are the Muslim population, which is threatened with virtual extermination, as well as the Croats and non-Serbs,

Dismayed by the huge number of missing persons still unaccounted for, particularly in Bosnia and Herzegovina and in Croatia,

Deploring the exploitation of ethnic tensions and ultra-nationalistic phenomena for political goals used to foster the war and human rights violations,

Alarmed that the conflict in the Republic of Bosnia and Herzegovina and in the Republic of Croatia has also been characterized by the systematic destruction and profanation of mosques, churches and other places of worship, as well as sites of cultural heritage,

Deeply concerned by the situations reflected in the report of the Secretary-General on rape and abuse of women in the areas of armed conflict in the former Yugoslavia, 11/ and stressing the need for detailed reporting on this subject,

Encouraging the continuing efforts made in the framework of the International Conference on the Former Yugoslavia to find a peaceful solution,

Welcoming the ongoing efforts of the Conference on Security and Cooperation in Europe to re-establish its presence in the Federal Republic of Yugoslavia (Serbia and Montenegro) in order to prevent further human rights violations, and deeply concerned about the decision of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) to expel the monitoring missions of long duration of the Conference on Security and Cooperation in Europe and the European Union to Kosovo, Sandjak and Vojvodina, where the human rights situation remains a cause of great concern,

Welcoming also the reconstruction efforts of the European Union, inter alia, through its monitoring missions to promote respect for human rights and fundamental freedoms,

Welcoming further the interim reports and recommendations of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the former Yugoslavia, in particular the most recent report, 12/

1. Commends the Special Rapporteur on the situation of human rights in the territories of the successor States of the former Yugoslavia for his reports 13/ and notes that his presence can be a positive factor towards reducing the instances of human rights violations in the region;

2. Expresses its grave concern at the instances of massive and systematic violations of human rights and humanitarian law in parts of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of

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11/ A/48/858.

12/ E/CN.4/1994/54.

13/ See S/26383, S/26415 and S/26469; see Official Records of the Security Council, Forty-eighth Year, Supplement for July, August and September 1993, documents S/26383, S/26415 and S/26469; see also A/49/641-S/1994/1252.

Yugoslavia (Serbia and Montenegro), as described in the Special Rapporteur's reports;

3. Notes with grave concern the Special Rapporteur's conclusions about the impending humanitarian disaster in the Republic of Bosnia and Herzegovina this winter;

4. Condemns in the strongest terms all violations of human rights and international humanitarian law in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) by all sides to the conflict, recognizing that the leadership in territories under the control of Serbs in the Republic of Bosnia and Herzegovina and the Republic of Croatia, the commanders of Serb paramilitary forces and political and military leaders in the Federal Republic of Yugoslavia (Serbia and Montenegro) bear primary responsibility for most of those violations;

5. Condemns the continued refusal of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serb authorities to permit the Special Rapporteur to conduct investigations in territories under their control;

6. Condemns also the specific violations identified by the Special Rapporteur, most of which are committed in connection with ethnic cleansing by Bosnian Serbs, and which include killings, torture, beatings, arbitrary searches, rape, disappearances, destruction of houses, forced and illegal evictions, detentions and other acts or threats of violence aimed at forcing individuals to leave their homes;

7. Condemns further the indiscriminate shelling and besieging of cities and civilian areas, the systematic terrorization and murder of non-combatants, the destruction of vital services and the use of military force against civilian populations and relief operations, including the use of cluster and napalm bombs on civilian targets by Croatian Serb and Bosnian Serb forces;

8. Welcomes the fact that the proceedings of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 have now begun, and in this context encourages the provision of all resources necessary, including full funding as well as voluntary contributions from States and intergovernmental and non-governmental organizations so that the Tribunal may conduct without any further delay its stipulated functions of trying those accused of and punishing those responsible for violations of international law;

9. Requests States, as a matter of urgency, to make available to the International Tribunal expert personnel, resources and services to aid in the investigation and prosecution of persons accused of having committed serious violations of international humanitarian law;

10. Also requests all States, in particular the Federal Republic of Yugoslavia (Serbia and Montenegro), to cooperate, as required under Security Council resolution 827 (1993), with the International Tribunal in providing

evidence for investigations and trials and in surrendering persons accused of crimes within the jurisdiction of the Tribunal;

11. Notes that all serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1 January 1991 are within the jurisdiction of the International Tribunal, and that persons who commit such acts in the context of the existing conflict will be held accountable;

12. Reaffirms that States are to be held accountable for violations of human rights;

13. Expresses its complete support for the victims of those violations, reaffirms the right of all persons to return to their homes in safety and dignity, considers invalid all acts made under duress affecting ownership of property and other related questions, recognizes the right of victims of ethnic cleansing to receive just reparation for their losses, and urges all parties to fulfil their agreements to this end;

14. Condemns all deliberate impedance of the delivery of food, medical and other supplies essential for the civilian population, which can constitute a serious violation of international humanitarian law, and of medical evacuations, and demands that all parties ensure that all persons under their control cease such acts;

15. Also condemns the attacks on and continuous harassment of the United Nations Protection Force and on personnel working with the Office of the United Nations High Commissioner for Refugees and other humanitarian organizations, most of which are perpetrated by Bosnian Serb forces;

16. Expresses its outrage that the systematic practice of rape continues to be used as a weapon of war against women and children and as an instrument of ethnic cleansing and recognizes that rape in this context constitutes a war crime;

17. Expresses its serious concern at the prevalence of lawlessness in the Serbian-controlled territories of Croatia and the lack of adequate protection for Croatian and non-Serb populations remaining in the Serb-controlled municipalities where these populations continue to experience physical violence and insecurity, as reported by the Special Rapporteur;

18. Also expresses its serious concern at the violations of humanitarian law committed by local officials in the Federation-controlled areas of Bosnia and Herzegovina, which limit the right to freedom of movement, notably the right of refugees or displaced persons to return to their homes, as reported by the Special Rapporteur;

19. Strongly condemns the increase of police violence against the non-Serb populations in Kosovo, Sandjak, Vojvodina and other areas of the Federal Republic of Yugoslavia (Serbia and Montenegro), and of violations of the right

to fair trial, as described in the most recent report of the Special Rapporteur; 14/

20. Strongly urges the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to take appropriate measures to respect fully all human rights and fundamental freedoms and to take urgent action to ensure the rule of law in order to prevent arbitrary evictions and dismissals and discrimination against members of the non-Serb populations in the Federal Republic of Yugoslavia (Serbia and Montenegro);

21. Expresses its grave concern at the deteriorating human rights situation in Sandjak, as noted by the Special Rapporteur, particularly the systematic acts of harassment, beatings, torture, warrantless searches, arbitrary detention and unfair trials directed mainly against members of the Muslim population;

22. Affirms that a peaceful solution, to be achieved through negotiation under the auspices of the International Conference on the Former Yugoslavia, would greatly benefit the human rights situation in the areas concerned;

23. Condemns in particular the violations of human rights and humanitarian law in connection with detention, including killings, torture and the systematic practice of rape, and demands the immediate, internationally supervised release of all persons arbitrarily or illegally detained and the immediate closure of all places of detention not authorized by and in compliance with the Geneva Conventions of 12 August 1949; 8/

24. Reiterates its demands that all parties notify immediately the International Committee of the Red Cross of the locations of all camps, prisons and other places of detention within Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), and that the International Committee of the Red Cross, the Special Rapporteur and his staff, the United Nations High Commissioner for Refugees, the monitoring and other missions of the European Union and the Conference on Security and Cooperation in Europe and other relevant international and regional organizations be granted immediate, unimpeded and continued access to such places of detention;

25. Urges all parties, and in particular the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), to cooperate with the Working Group on Enforced and Involuntary Disappearances in determining the fate of thousands of missing persons by disclosing information and documentation on inmates in prisons, camps and other places of detention in order finally to locate such persons and alleviate the suffering of their relatives;

26. Also urges the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to reconsider its refusal to allow the continuation of the activities of the missions of the Conference on Security and Cooperation in Europe to monitor the human rights conditions in its territory, particularly in Kosovo, Sandjak and Vojvodina, and its refusal to permit the opening of a field

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14/ A/49/641-S/1994/1252.

office of the Centre for Human Rights of the Secretariat as called for by the General Assembly in resolution 48/153;

27. Urges the Secretary-General to take all necessary steps to ensure the full and effective coordination of the activities of all United Nations bodies in implementing the present resolution, and urges those bodies concerned with the situation in the territories of Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to coordinate closely with the Special Rapporteur and the International Tribunal, and to provide the Special Rapporteur on a continuing basis with all relevant and accurate information in their possession on the situation of human rights in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro);

28. Also urges the Secretary-General, within existing resources, to make all necessary resources available for the Special Rapporteur to carry out his mandate and in particular to provide him with adequate staff based in the territories of Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to ensure effective continuous monitoring of the human rights situation there and coordination with other United Nations bodies involved, including the United Nations Protection Force,

29. Welcomes the effort by the Governments of Croatia and Bosnia and Herzegovina to uphold human rights in their territories and urges them to fulfil the human rights commitments they have made;

30. Notes with concern that many of the past recommendations of the Special Rapporteur have not been fully implemented, in some cases because of resistance by the parties on the ground, and urges the parties, all States and relevant organizations to give immediate consideration to them, in particular the Special Rapporteur's calls:

(a) For the opening of humanitarian relief corridors to prevent the death and deprivation of the civilian population and to open Tuzla airport to relief deliveries, and for the immediate release of detainees into conditions of safety;

(b) For the provision of necessary medical and psychological care to victims of rape within the framework of programmes to rehabilitate women and children traumatized by war, and for coordination by all concerned in support of the social integration of child victims;

(c) For more generous international assistance to refugees fleeing the conflict, and to the States which receive them;

(d) For increased support to initiatives to assist persons displaced by the conflict, with attention to the special needs of urban families and orphans;

(e) For the creation of a voluntary fund to provide economic and social aid to assist the reconstruction of destroyed villages and towns;

(f) For the attention of the international community to the need for an effective response to counter the policy of ethnic cleansing;

31. Draws attention to the need for an immediate and urgent investigation by qualified experts of a mass grave near Vukovar and other mass grave sites and places where mass killings are reported to have taken place, and requests the Secretary-General, within existing resources, to make available the necessary means for this undertaking;

32. Invites the Commission on Human Rights at its fifty-first session to request the Special Rapporteur to report to the General Assembly at its fiftieth session;

33. Decides to continue its examination of this question at its fiftieth session under the item entitled "Human rights questions".

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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Andorra, Armenia, Australia, Austria, Belgium, Benin, Bulgaria, Canada, Chile, Costa Rica, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Netherlands, Norway, Panama, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland: draft resolution

Situation of human rights in Myanmar

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other applicable human rights instruments,

Aware that, in accordance with the Charter, the Organization promotes and encourages respect for human rights and fundamental freedoms for all and that the Universal Declaration of Human Rights states that "the will of the people shall be the basis of the authority of Government",

Recalling its resolution 48/150 of 20 December 1993,

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

Recalling also Commission on Human Rights resolution 1992/58 of 3 March 1992, 3/ in which the Commission, inter alia, decided to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar, including political leaders deprived of their liberty, their families and their lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian Government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar,

Recalling further Commission on Human Rights resolution 1994/85 of 9 March 1994, 4/ by which the Commission extended for one year the above mandate of the Special Rapporteur,

Gravely concerned that the Government of Myanmar still has not implemented its commitments to take all necessary steps towards democracy in the light of the results of the elections held in 1990,

Gravely concerned also at the continued violations of human rights in Myanmar, as reported by the Special Rapporteur, in particular summary and arbitrary executions, torture, forced labour and forced relocations, abuse of women, politically motivated arrests and detentions, restrictions on fundamental freedoms, including the freedom of expression and assembly, and the imposition of oppressive measures directed in particular at ethnic and religious minorities,

Noting that the human rights situation in Myanmar has consequently resulted in flows of refugees to neighbouring countries, thus creating problems for the countries concerned,

Noting also the measures taken by the Government of Myanmar, including its accession to the Geneva Conventions of 12 August 1949 5/ on the protection of victims of war, the conclusion of cease-fire agreements with several groups of ethnic and religious minorities in Myanmar, the withdrawal of its reservations to the Convention on the Rights of the Child 6/ and the release of a number of political prisoners in response to the concerns expressed by the international community, including the General Assembly and the Commission on Human Rights,

Welcoming the cooperation between the Government of Myanmar and the Office of the United Nations High Commissioner for Refugees on the voluntary repatriation of refugees from Bangladesh to Myanmar,

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3/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

4/ Ibid., 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

5/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

6/ Resolution 44/25.

1. Expresses its appreciation to the Special Rapporteur of the Commission on Human Rights for his interim report; 7/

2. Expresses also its appreciation to the Secretary-General for his report;

3. Deplores the continued violation of human rights in Myanmar;

4. Repeats its call on the Government of Myanmar to release unconditionally and immediately the Nobel Peace Prize Laureate Aung San Suu Kyi, who is now in her sixth year of detention without trial, and other political leaders and remaining political prisoners;

5. Welcomes the recent meetings between the Government of Myanmar and Nobel Peace Prize Laureate Aung San Suu Kyi and encourages the Government of Myanmar to engage in a substantive political dialogue with Aung San Suu Kyi and other political leaders, including representatives from ethnic groups, as the best means of promoting national reconciliation and the full and early restoration of democracy;

6. Welcomes also the recent discussions between the Government of Myanmar and the Secretary-General and further encourages the Government of Myanmar to continue to cooperate fully with the Secretary-General;

7. Again urges the Government of Myanmar, in conformity with its assurances given at various times, to take all necessary steps towards the restoration of democracy in accordance with the will of the people as expressed in the democratic elections held in 1990, and to ensure that political parties can function freely;

8. Notes with concern that most of the representatives duly elected in 1990 are still excluded from participating in the meetings of the National Convention, created to prepare basic elements for the drafting of a new constitution, and that one of its objectives is to maintain the participation of the armed forces in a leading role in the future political life of the State, and notes also that there is as yet no process nor timetable for concluding the National Convention;

9. Strongly urges the Government of Myanmar to take all appropriate measures to allow all citizens to participate freely in the political process in accordance with the principles of the Universal Declaration of Human Rights, and to accelerate the process of transition to democracy, in particular through the transfer of power to democratically elected representatives;

10. Urges the Government of Myanmar to ensure full respect for human rights and fundamental freedoms, including freedom of expression and assembly, the protection of the rights of persons belonging to ethnic and religious minorities, and to put an end to violations of the right to life and integrity

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7/ A/49/594 and Add.1, annex.

of the human being, to the practices of torture, abuse of women, forced labour, forced relocations, to enforced disappearances and summary executions;

11. Appeals to the Government of Myanmar to consider becoming a party to the International Covenant on Civil and Political Rights 2/ and the International Covenant on Economic, Social and Cultural Rights 2/ and to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment; 8/

12. Urges the Government of Myanmar to fulfil its obligations as a State party to the Forced Labour Convention 1930 (No. 29) and to the Freedom of Association and Protection of the Right to Organize Convention 1984 (No. 87) of the International Labour Organization;

13. Stresses the importance for the Government of Myanmar to give particular attention to conditions in the country's jails and to allow the International Committee of the Red Cross to communicate freely and confidentially with prisoners;

14. Regrets the recent harsh sentences meted out to a number of dissidents, including persons voicing dissent in regard to the procedures of the National Convention and persons sentenced, inter alia, for seeking to communicate with the Special Rapporteur;

15. Regrets also that, while a certain number of political prisoners have been released, many political leaders are still deprived of their freedom and their fundamental rights;

16. Calls upon the Government of Myanmar to respect fully the obligations of the Geneva Conventions of 12 August 1949, 5/ in particular the obligations in article 3 common to the Conventions, and to make use of such services as may be offered by impartial humanitarian bodies;

17. Expresses its concern at the attack by Myanmar army soldiers on the civilian refugee camp at Halockhani on 21 July 1994;

18. Encourages the Government of Myanmar to create the necessary conditions to ensure an end to the flows of refugees to neighbouring countries and to facilitate their speedy repatriation and their full reintegration, in conditions of safety and dignity;

19. Requests the Secretary-General to continue his discussions with the Government of Myanmar in order to assist in the implementation of the present resolution, as well as in its efforts to achieve national reconciliation and to report to the General Assembly at its fiftieth session as well as to the Commission on Human Rights at its fifty-first session;

20. Decides to continue its consideration of this question at its fiftieth session.

8/ Resolution 39/46.

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Agenda item 100 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Andorra, Argentina, Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Poland, Portugal, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The situation of human rights in the Sudan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ International Covenants on Human Rights, 2/ and the International Convention on the Elimination of All Forms of Racial Discrimination, 3/

Reaffirming that all States have an obligation to promote and protect human rights and fundamental freedoms and to comply with the obligations laid down in the various instruments in this field,

Recalling resolution AHG/Res.213 (XXVIII) on the strengthening of cooperation and coordination among African States, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 2106 A (XX), annex.

twenty-eighth ordinary session, held at Dakar from 29 June to 1 July 1992, 4/ and recalling the Addis Ababa agreement of July 1990, 5/

Recalling also its resolution 48/147 of 20 December 1993 and Commission on Human Rights resolution 1994/79 of 9 March 1994 on the situation of human rights in the Sudan, 6/

Noting with deep concern reports of grave human rights violations in the Sudan, particularly summary executions, detentions without trial, forced displacement of persons and torture, as described in, inter alia, the reports submitted to the Commission on Human Rights at its forty-eighth session by the Special Rapporteurs on the question of torture and on extrajudicial, summary or arbitrary executions, 7/ at its forty-ninth session by the Special Rapporteur on the question of religious intolerance 8/ and at its fiftieth session by the Special Rapporteurs on extrajudicial, summary or arbitrary executions and on the question of torture, 9/

Welcoming the latest report of the Special Rapporteur on the situation of human rights in the Sudan, 10/ and noting with concern the continuing violations of human rights in the Sudan,

Recalling the statement of the Chairman of the fiftieth session of the Commission on Human Rights, at its sixty-first meeting, 11/ that Special Rapporteurs are the result of a solemn decision of the international community and that to cast any doubts on the integrity of the Special Rapporteurs is to cast them on the Commission itself,

Concerned that repeated attacks by airplanes of the Government of the Sudan on civilian targets in southern Sudan, which are in clear violation of international humanitarian law, have added to the suffering of the civilian population and resulted in casualties to civilians, including relief workers,

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4/ See A/47/558, annex II.

5/ See A/45/482, annex II.

6/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

7/ E/CN.4/1993/26 and E/CN.4/1993/46, respectively.

8/ E/CN.4/1993/62 and Corr.1 and Add.1.

9/ E/CN.4/1994/7 and Corr.1-2 and Add.1-2 and E/CN.4/1994/31, respectively.

10/ A/49/539.

11/ Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. XII, para. 480.

Emphasizing that it is the duty of all parties in the conflict in the Sudan to protect relief workers,

Deeply concerned that access by the civilian population to humanitarian assistance continues to be impeded, which represents a threat to human life and constitutes an offence to human dignity, but welcoming continuing dialogue between the Government of the Sudan and other parties, donor Governments and international private voluntary agencies regarding the delivery of humanitarian aid, and expressing the hope that such dialogue will result in improved cooperation for the delivery of humanitarian assistance to all persons in need,

Alarmed by the large number of internally displaced persons and victims of discrimination in the Sudan, including members of ethnic minorities who have been forcibly displaced in violation of their human rights and who are in need of relief assistance and of protection,

Alarmed also by the mass exodus of refugees into neighbouring countries and conscious of the burden that this places on those countries, but expressing its appreciation for the efforts of host countries and of the international community to assist the refugees,

Deeply concerned at reports of the persistence of forced or compulsory labour in northern and southern Sudan alike, despite its prohibition by Sudanese and international law,

Gravely alarmed by repeated instances of violence against innocent civilians in the Sudan, including by the Government against displaced persons in the north and by the rebels in the south,

Disturbed by the continuing failure of the Government of the Sudan to provide for a full impartial investigation of the killings of Sudanese national employees of foreign government relief organizations,

Emphasizing that it is essential to put an end to the serious deterioration of the human rights situation in the Sudan, including those violations of human rights which have occurred in the Nuba Mountains,

Deeply concerned at the reports of the problem of unaccompanied minors and the use of children as soldiers by all parties despite repeated calls from the international community to put an end to this practice,

Recognizing the fact that the Sudan has been hosting large numbers of refugees from several neighbouring countries over the last three decades,

Welcoming the efforts of the United Nations and other humanitarian organizations to provide humanitarian relief to those Sudanese in need,

1. Expresses its deep concern at the serious and continuing human rights violations in the Sudan, including summary executions, detentions without due process, forced displacement of persons, torture and forced labour;

2. Expresses its thanks to the Special Rapporteur for his most recent report; 9/

3. Urges the Government of the Sudan to respect fully human rights, and calls upon all parties to cooperate in order to ensure such respect;

4. Notes with displeasure the interference by the Government of the Sudan with the visit to the Sudan of the Special Rapporteur during September 1993, including the arrests of people who met with or tried to meet with the Special Rapporteur;

5. Calls upon the Government of the Sudan to comply with applicable international human rights instruments to which the Sudan is a party, in particular the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, 12/ the Slavery Convention, as amended, and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, and to ensure that all individuals in its territory and subject to its jurisdiction, including members of all religious and ethnic groups, enjoy fully the rights recognized in these instruments;

6. Urges the Government of the Sudan to cease immediately all aerial attacks and other attacks that are in violation of international humanitarian law, and to explain without delay the circumstances of the repeated air attacks on civilian targets in southern Sudan;

7. Notes with appreciation the ongoing regional efforts by several heads of State of States members of the Intergovernmental Authority on Drought and Development (Eritrea, Ethiopia, Kenya and Uganda) to assist parties to the conflict in the Sudan to reach a peaceful settlement;

8. Urges all parties to the conflict to agree to an immediate cease-fire and to cooperate fully with the present regional initiative of heads of State of States members of the Intergovernmental Authority on Drought and Development (Eritrea, Ethiopia, Kenya and Uganda);

9. Strongly urges all parties to the hostilities to redouble their efforts to negotiate an equitable solution to the civil conflict to ensure respect for the human rights and fundamental freedoms of the Sudanese people, thereby creating the necessary conditions to end the exodus of Sudanese refugees to neighbouring countries and to facilitate their early return to the Sudan, and welcomes efforts to facilitate dialogue among the parties to that end;

10. Calls upon parties to the hostilities to respect fully the applicable provisions of international humanitarian law, including article 3 common to the Geneva Conventions of 12 August 1949, 13/ and the Additional Protocols

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12/ Resolution 44/25, annex.

13/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

thereto, of 1977, 14/ to halt the use of weapons against the civilian population and to protect all civilians, including women, children and members of ethnic and religious minorities, from violations, including forcible displacement, arbitrary detention, ill-treatment, torture and summary executions, and deplores the consequences for innocent civilians of the use of land-mines by government and rebel forces alike;

11. Again calls upon the Government of the Sudan and all parties to permit international agencies, humanitarian organizations and donor Governments to deliver humanitarian assistance to the civilian population and to cooperate with the initiatives of the Department of Humanitarian Affairs of the Secretariat to deliver humanitarian assistance to all persons in need;

12. Calls again upon the Government of the Sudan to ensure a full, thorough and prompt investigation by the independent judicial inquiry commission of the killings of Sudanese employed by foreign relief organizations and foreign Governments;

13. Welcomes the decision of the Commission on Human Rights to extend the mandate of the Special Rapporteur for an additional year;

14. Requests the Secretary-General to continue to provide the Special Rapporteur all necessary assistance in the discharge of his mandate;

15. Calls upon the Government of the Sudan to extend its full and unreserved cooperation to and to assist the Special Rapporteur in the ongoing discharge of his mandate, and, to this end, to take all necessary steps to ensure that the Special Rapporteur has free and unlimited access to any person in the Sudan with whom he wishes to meet, with no threats or reprisals;

16. Recommends the continued monitoring of the serious human rights situation in the Sudan and of the regional efforts to end the hostilities and human suffering in the south, and invites the Commission on Human Rights at its fifty-first session to give urgent attention to the situation of human rights in the Sudan;

17. Decides to continue its consideration of this question at its fiftieth session.

14/ Ibid., vol. 1125, Nos. 17512 and 17513.

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General Assembly

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2 December 1994

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Forty-ninth session
THIRD COMMITTEE
Agenda item 100 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Australia, Austria, Cambodia, Canada, France, Netherlands, Sweden and United States of America: draft resolution

Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Taking note of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, 3/ signed in Paris on 23 October 1991, including Part III thereof, relating to human rights,

Recalling Commission on Human Rights resolution 1994/61 of 4 March 1994 4/ and General Assembly resolution 48/154 of 20 December 1993, and previous relevant resolutions, including Commission on Human Rights resolution

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See A/46/608-S/23177; see Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991, document S/23177.

4/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

1993/6 of 19 February 1993, 5/ which recommended the appointment of a Special Representative in Cambodia and the subsequent appointment by the Secretary-General of a Special Representative,

Bearing in mind the role and responsibilities of the United Nations and the international community in the process of the rehabilitation and reconstruction of Cambodia,

Recognizing that the tragic recent history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991, 3/

Welcoming the establishment in Cambodia of the Office of the Centre for Human Rights,

1. Requests the Secretary-General to assure the Protection of the Human Rights of all people in Cambodia and to ensure adequate resources, from within existing United Nations resources, for the enhanced functioning of the operational presence in Cambodia of the Centre for Human Rights;

2. Welcomes the report of the Secretary-General to the General Assembly on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights; 6/

3. Also welcomes the visit to Cambodia of the United Nations High Commissioner for Human Rights;

4. Welcomes and encourages the efforts of individuals, non-governmental organizations, Governments and international organizations involved in human rights activities in Cambodia;

5. Takes note with appreciation of the report submitted by the Special Representative of the Secretary-General on the situation of human rights in Cambodia 7/ and endorses his recommendations and conclusions, including those aimed at:

(a) Ensuring the independence of the judiciary and the establishment of the rule of law;

(b) The promotion and protection of civil rights;

(c) The promotion of multi-cultural tolerance and acceptance of ethnic diversity within Cambodia;

5/ Ibid., 1993, Supplement No. 3 (E/1993/23, chap. II, sect. A.

6/ A/49/635/Add.1.

7/ A/49/635.

6. Requests the Special Representative, in collaboration with the Office in Cambodia of the Centre for Human Rights, to undertake an evaluation of the extent to which the recommendations made by the Special Representative in his report, 7/ and those contained in his first report, 8/ are followed up and implemented;

7. Requests the Secretary-General to provide all necessary resources, from within existing resources, to enable the Special Representative to continue to fulfil his tasks expeditiously;

8. Welcomes the efforts made by the Government of Cambodia to promote and protect human rights, including measures in the fields of education concerning human rights and legal education;

9. Also welcomes the improvements in conditions of prisons and in creating a functioning system of justice, and urges that efforts continue in these areas;

10. Expresses grave concern about the serious violations of human rights as detailed by the Special Representative in his report and encourages the Government of Cambodia to investigate thoroughly allegations of human rights abuse and to prosecute those who are guilty of human rights offences in accord with the due process of the law;

11. Also expresses grave concern about the outrages committed by the outlawed Khmer Rouge, including the massacre of approximately fifty villagers in Battambang Province in October 1994, the numerous recent incidents of kidnapping of villagers, the taking and killing of foreign hostages and other deplorable incidents detailed in the report of the Special Representative;

12. Condemns unreservedly all threats by the outlawed Khmer Rouge to the safety of persons involved in development assistance activities in rural Cambodia;

13. Expresses grave concern at the indiscriminate use of anti-personnel land-mines in Cambodia and the devastating consequences and destabilizing effects such mines have on Cambodian society, and encourages the Government of Cambodia to continue its support for the removal of these mines;

14. Calls upon the Government of Cambodia to ensure the full observance of human rights for all persons within its jurisdiction in accordance with the International Covenants and other human rights instruments to which Cambodia is a party;

15. Requests the Government of Cambodia to meet punctually its reporting obligations under international treaties, drawing on the assistance, where appropriate, of the office in Cambodia of the Centre for Human Rights;

8/ E/CN.4/1994/73 and Add.1.

16. Encourages the Government of Cambodia to enact a press law which is consistent with international standards and which promotes press responsibility while protecting freedom of expression;

17. Requests the Centre for Human Rights to assist, with the consent and cooperation of the Government of Cambodia, in providing advice and technical assistance with respect to the creation of an independent national institution for the protection and promotion of human rights, such as an ombudsman or a human rights commission;

18. Commends the ongoing efforts of the office in Cambodia of the Centre for Human Rights in supporting and assisting the Government of Cambodia, as well as in supporting non-governmental organizations and others involved in the protection and promotion of human rights in cooperating with the Government of Cambodia, and condemns unreservedly attacks on them;

19. Requests the Secretary-General to continue to use the Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities for the office in Cambodia of the Centre for Human Rights as defined in resolutions of the General Assembly and the Commission on Human Rights;

20. Requests the Centre for Human Rights, in cooperation with the relevant specialized agencies and development programmes, to develop and implement programmes, with the consent and cooperation of the Government of Cambodia, in the priority areas identified by the Special Representative, paying particular attention to women and vulnerable groups, including children and refugees;

21. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

22. Decides to continue its consideration of the situation of human rights in Cambodia at its fiftieth session.

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THIRD COMMITTEE
Agenda item 100 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Australia, Belgium, Bulgaria, Canada, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Japan, Luxembourg, Netherlands, Norway, Portugal, Republic of Moldova, Romania, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in Cuba

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and other applicable human rights instruments,

Reaffirming also that all States have an obligation to fulfil the commitments they have freely undertaken under the various international instruments,

Recalling its resolution 48/142 of 20 December 1993, in which it regrets profoundly the numerous reports of violations of basic human rights and fundamental freedoms,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

Taking particular note of Commission on Human Rights resolution 1994/71 of 9 March 1994, 3/ in which the Commission recognized with deep appreciation the efforts of the Special Rapporteur to carry out his mandate concerning the situation of human rights in Cuba,

Expressing concern about ongoing reports of serious violations of human rights in Cuba, as outlined in the interim report on the situation of human rights in Cuba submitted to the General Assembly by the Special Rapporteur, 4/

Recalling the continued failure of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolution 1994/71 3/ by refusing to permit the Special Rapporteur to visit Cuba, and the refusal of the Government of Cuba to respond to the most recent request by the Special Rapporteur to visit Cuba pursuant to his mandate,

Taking note of the recent visit to Cuba of the United Nations High Commissioner for Human Rights,

1. Commends the Special Rapporteur of the Commission on Human Rights for his interim report on the situation of human rights in Cuba; 4/

2. Expresses its full support for the work of the Special Rapporteur on Cuba;

3. Calls once more upon the Government of Cuba to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;

4. Regrets profoundly the numerous uncontested reports of violations of basic human rights and fundamental freedoms that are described in the report of the Special Rapporteur to the Commission on Human Rights 5/ and in his interim report; 4/

5. Requests that the Government of Cuba recognize the right of political parties and non-governmental organizations to function legally in the country, allow for freedom of expression, information and assembly and the freedom to demonstrate peacefully, and that it review sentences for crimes of a political nature;

6. Calls upon the Government of Cuba to adopt the other measures proposed in the interim report of the Special Rapporteur to bring the observance of human rights and fundamental freedoms in Cuba up to international standards in accordance with international law and applicable international human rights

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3/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

4/ A/49/544, annex.

instruments and to end all violations of human rights, by inter alia, ratifying international human rights instruments, ceasing the persecution and punishment of citizens for reasons related to freedom of expression and peaceful association, respecting due process and granting permission for access to the prisons by national independent groups and international humanitarian agencies;

7. Decides to continue its consideration of this question at its fiftieth session.

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2 December 1994

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THIRD COMMITTEE
Agenda item 100 (b)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Australia, Greece, Republic of Moldova and Russian Federation: draft resolution

Development of public information activities in the field of human rights

The General Assembly,

Reaffirming that activities to improve public knowledge in the field of human rights are essential to the fulfilment of the purposes of the United Nations set out in Article 1, paragraph 3, of the Charter of the United Nations and that carefully designed programmes of teaching, education and information are essential to the achievement of lasting respect for human rights and fundamental freedoms,

Recalling the relevant resolutions adopted by the General Assembly and the Commission on Human Rights,

Recognizing the catalytic effect of initiatives of the United Nations on national and regional public information activities in the field of human rights,

Recognizing also the valuable role that non-governmental organizations can play in those endeavours,

Believing that the World Public Information Campaign for Human Rights is a valuable complement to the activities of the United Nations aimed at the further promotion and protection of human rights, and recalling the importance attached by the World Conference on Human Rights to strengthening the World Campaign,

Welcoming the appointment of the United Nations High Commissioner for Human Rights with the function, inter alia, of coordinating relevant United Nations education and public information programmes in the field of human rights, in accordance with General Assembly resolution 48/141 of 20 December 1993,

Recognizing that the Department of Public Information is the focal point for elaborating, coordinating and harmonizing United Nations policies and activities in the field of information, in accordance with General Assembly resolution 48/44 B of 10 December 1993,

1. Takes note with appreciation of the report 1/ of the Secretary-General on the development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights;

2. Appreciates the measures taken by the Department of Public Information and the Centre for Human Rights to ensure the further production and effective dissemination of human rights information materials in cooperation with regional, national and local organizations, as well as with Governments;

3. Notes with appreciation the dissemination by the Department of Public Information and the Centre for Human Rights of the Vienna Declaration and Programme of Action 2/ adopted by the World Conference on Human Rights, and of information on follow-up activities;

4. Requests the Centre for Human Rights, in cooperation with the Department of Public Information, to finalize its comprehensive review of the programme of information and publications in the field of human rights, including the elaboration of a new information strategy, and to make an assessment of the effectiveness of this programme, and encourages the Centre to continue its efforts towards streamlining and focusing its publications programme;

5. Encourages the Centre to continue the development of training courses and materials, including targeted training manuals for professional audiences, as well as the dissemination of human rights information materials as a component of technical assistance projects;

6. Welcomes the efforts of the Department of Public Information and the Centre for Human Rights to disseminate information on human rights by electronic means, including through the United Nations Bibliographic Information System;

7. Requests the Department of Public Information and the Centre actively to explore further possibilities for the production of computer-accessible human rights information and human rights databases;

1/ A/49/582.

2/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

8. Urges the Department of Public Information to continue to utilize United Nations information centres for the purpose of timely dissemination, within their designated areas of activity, of basic information and reference materials on human rights and fundamental freedoms, including the reports of States parties to treaty-monitoring bodies and, to this end, to ensure that United Nations information centres are supplied with adequate quantities of those materials;

9. Requests the Department of Public Information to continue to make use of the resources available for this purpose to produce audiovisual materials on human rights issues;

10. Requests the Secretary-General to take advantage as much as possible of the collaboration of non-governmental organizations in the implementation of the World Public Information Campaign, including in the dissemination of human rights materials;

11. Encourages all Member States to make special efforts to provide, facilitate and promote publicity for the activities of the United Nations in the field of human rights, including through support of United Nations information centres, to accord priority to the dissemination in their respective national and local languages of the Universal Declaration of Human Rights, 3/ the International Covenants on Human Rights 4/ and other international instruments, as well as reports to human rights treaty bodies, and to provide information and education on the practical ways in which the rights and freedoms enjoyed under these instruments can be exercised;

12. Supports the recommendation contained in the Vienna Declaration and Programme of Action (part II.D) adopted by the World Conference on Human Rights that Member States develop specific programmes and strategies for ensuring the widest human rights education and the dissemination of public information, taking particular account of the human rights needs of women, and encourages Member States, in drawing up national action plans for the promotion and protection of human rights, to include broad-based education and public information programmes on human rights;

13. Calls upon the United Nations High Commissioner for Human Rights to coordinate and harmonize human rights information strategies within the United Nations system;

14. Calls upon the Centre for Human Rights to coordinate the substantive activities of the World Public Information Campaign for Human Rights pursuant to the direction of the General Assembly and the Commission on Human Rights, and to serve as liaison with Governments, regional and national institutions, non-governmental organizations and concerned individuals, in the development and implementation of the activities of the Campaign;

3/ Resolution 217 A (III).

4/ Resolution 2200 A (XXI), annex.

15. Calls upon the Department of Public Information to coordinate the public information activities of the Campaign and, in its responsibility as secretariat to the Joint United Nations Information Committee, to promote coordinated system-wide information activities in the field of human rights;

16. Stresses the need for close cooperation between the Centre for Human Rights and the Department of Public Information in the implementation of the aims established for the World Public Information Campaign and the need for the United Nations to harmonize the activities in the field of human rights with those of other organizations, including the International Committee of the Red Cross, with regard to the dissemination of information on international humanitarian law, and the United Nations Educational, Scientific and Cultural Organization, with regard to education for human rights;

17. Calls upon the Department of Public Information to undertake, as a priority, from within existing resources, the production and widest possible dissemination of an information kit on the draft Declaration on the Rights of Indigenous Peoples, including in indigenous languages, to explain the concepts, terms and principles contained in the draft, and as a United Nations initiative to celebrate the International Decade of the World's Indigenous People;

18. Requests the Secretary-General to submit to the General Assembly at its fifty-first session a comprehensive report on the implementation of the present resolution for consideration under the item entitled "Human rights questions".

UNITED
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General Assembly

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THIRD COMMITTEE
Agenda item 100 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Denmark, Finland, France, Germany, Greece, Guatemala, Guyana, Haiti, Iceland, Ireland, Italy, Jamaica, Japan, Luxembourg, Mexico, Nicaragua, Norway, Panama, Paraguay, Peru, Spain, Suriname, Sweden, Trinidad and Tobago, United States of America, Uruguay and Venezuela: draft resolution

Human rights in Haiti

The General Assembly,

Recalling its resolution 48/151 of 20 December 1993,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/ and aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all,

Reaffirming that all Member States are required to promote and protect human rights and to comply with the obligations laid down in the various instruments in this field,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

Taking note of Commission on Human Rights resolution 1994/80 of 9 March 1994, 3/ in which the Commission decided to extend for one more year the mandate of the Special Rapporteur, with a view to having him submit a provisional report on the situation of human rights in Haiti to the General Assembly at its forty-ninth session and a final report to the Commission at its fifty-first session,

Recognizing the efforts of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States and the former Special Envoy to re-establish democratic institutions in Haiti,

Welcoming the appointment of the new Special Representative of the Secretary-General for Haiti,

Recognizing the work carried out by the International Civilian Mission to Haiti, when circumstances allowed it, for the defence of human rights in Haiti,

Welcoming the re-establishment of the democratic system and the return of the constitutionally elected President, Jean-Bertrand Aristide,

1. Expresses its satisfaction at the return of President Jean-Bertrand Aristide to Haiti on 15 October 1994 and the re-establishment of constitutional order;

2. Urges the Haitian authorities to continue to promote full respect for human rights and fundamental freedoms, in conformity with the relevant international covenants in the field of human rights;

3. Requests the Secretary-General, through the United Nations High Commissioner for Human Rights and the Centre for Human Rights, to take appropriate steps to ensure financial and human resources for the urgent establishment, in conjunction with the International Civilian Mission to Haiti, of a special programme of assistance to the Government and people of Haiti in their efforts to ensure the observance of human rights;

4. Takes note with appreciation of the report of the Special Rapporteur of the Commission on Human Rights, Mr. Marco Tulio Bruni-Celli, on the situation of human rights in Haiti 4/ and the recommendations contained therein;

5. Commends the cooperation between the Secretary-General of the United Nations and the Secretary-General of the Organization of American States and requests the speedy return to Haiti of all members of the International Civilian Mission to Haiti, with the task of verifying compliance by Haiti with its international human rights obligations, namely, to promote respect for the

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3/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

4/ A/49/513, annex.

rights of all Haitians and to contribute to the strengthening of democratic institutions;

6. Decides to continue its consideration of the situation of human rights and fundamental freedoms in Haiti at its fiftieth session, on the basis of information provided by the Commission on Human Rights and the Economic and Social Council.